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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF ARIZONA**

JUSTIN LANE, a married man,

Plaintiff,

vs.

CITY OF TUCSON, a municipal  
corporation; et al.,

Defendant.

No.

**CITY DEFENDANTS' NOTICE OF  
REMOVAL**

Pima County Superior Court  
Case No. C20223324

Defendants City of Tucson, Kevin Hall, Chris Magnus, and Chad Kasmar by and through undersigned counsel and pursuant to 28 U.S.C. § 1441, *et seq.*, § 1446 and LRCiv 3.6, hereby remove Pima County Superior Court Case No. C20223324 to the United States District Court for the District of Arizona. Removal is proper for the following reasons:

1. Plaintiff filed his original Complaint in Pima County Superior Court on August 11, 2022.

2. Plaintiff served the Complaint on Defendant City of Tucson, Kevin Hall, and Chad Kasmar on August 16, 2022, and Defendant Chris Magnus on August 22, 2022.

3. The Plaintiff's Complaint alleges violations of "42 U.S.C. §1983 – First Amendment Retaliation," "42 U.S.C. §1983 – Due Process – Liberty Interest," and "42 U.S.C. §1983 – Due Process – Property Interest." Plaintiff also seeks attorneys' fees.

4. This Court has original jurisdiction over Plaintiff's 42 U.S.C. §1983 claims pursuant to 28 U.S.C. § 1331.

1           5.       Plaintiff includes allegations related to “Arizona law” and A.R.S. § 38-1101  
2 under Count III, and any alleged pendent claims arising exclusively under Arizona state  
3 law may also be removed to this Court in accordance with 28 U.S.C. § 1441(c) and  
4 pursuant to 28 U.S.C. § 1367.

5           6.       Following LRCiv 3.6(b), true and complete copies of all pleadings and other  
6 documents filed in the state court proceeding are attached as Exhibit A.

7           7.       A copy of this Notice of Removal has been filed with the Pima County  
8 Superior Court and electronically served on Plaintiff.

9 DATED: September 2, 2022.

10                               MICHAEL G. RANKIN  
11                               City Attorney

12                               By /s/ Michelle R. Saavedra  
13                                       Michelle R. Saavedra  
14                                       Principal Assistant City Attorney  
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**CERTIFICATE OF SERVICE**

I hereby certify that on September 2, 2022, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to the following CM/ECF registrants:

Gerald Maltz  
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*Attorneys for Plaintiff*

By /s/ C. Loss/mp